

1 Ford Greene
California State Bar No. 107601
2 HUB LAW OFFICES
711 Sir Francis Drake Boulevard
3 San Anselmo, California 94960-1949
4 Attorney for Defendants
GERALD ARMSTRONG and THE
5 GERALD ARMSTRONG CORPORATION
6
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FILED

AUG 17 1994

HOWARD HANSON
MARIN COUNTY CLERK
C. HARDING DEPT

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF MARIN

RECEIVED

AUG 18 1994

10 CHURCH OF SCIENTOLOGY INTERNATIONAL,)
a California not-for-profit)
11 religious corporation,)
12 Plaintiff,)
13 vs.)
14 GERALD ARMSTRONG; MICHAEL WALTON;)
THE GERALD ARMSTRONG CORPORATION,)
15 a California for-profit)
corporation; DOES 1 through 100,)
16 inclusive,)
17 Defendants.)
18

No. 157 680 HUB LAW OFFICES

DECLARATION OF FORD GREENE
IN SUPPORT OF MOTION TO
COMPEL FURTHER RESPONSES
TO REQUESTS FOR ADMISSIONS
AND FOR MONETARY SANCTIONS

Date: 9/2/94
Time: 10:00 a.m.
Dept: Referee Benz
Trial Date: 9/29/94

19 FORD GREENE declares:

20 1. I am an attorney licensed to practice law in the Courts
21 of the State of California and am the attorney of record for
22 Gerald Armstrong, defendant and Cross-Complainant herein.

23 2. On March 4, I caused to be served on plaintiff Church of
24 Scientology International Defendant Gerald Armstrong's First Set
25 of Requests for Admission.

26 3. On or about April 8, 1994, plaintiff served its
27 responses thereto. Certain of said responses contain objections,
28 or are otherwise incomplete, evasive or inadequate as set forth in

1 the Separate Statement of Requests and Responses in Dispute,
2 served and filed herewith. Thereafter, I met and conferred with
3 counsel for CSI who provided supplemental responses which, in
4 large part, supplemented very little information in addition to
5 that already provided.

6 4. Plaintiff should be ordered to admit or deny each of the
7 requests in dispute because the information sought thereby is
8 relevant to the subject matter of this action, is not privileged
9 or otherwise exempt from discovery, and for the reasons stated in
10 said Separate Statement of Requests and Responses in Dispute, as
11 well as in the accompanying memorandum of points and authorities.

12 5. I am informed that each of the objections were prepared
13 for plaintiff by its attorneys, Laurie J. Bartilson of Bowles and
14 Moxon, and by Andrew Wilson of Wilson, Ryan and Campolongo, and
15 that each of said objections were made upon the advice of said
16 attorneys.

17 6. Plaintiff's refusal to answer said requests for
18 admissions and the advice of the aforesaid attorneys was without
19 substantial justification because each request is relevant to the
20 subject matter of this lawsuit, because said requests have not
21 been propounded to harass, oppress or annoy, and because each
22 request is clear and unambiguous.

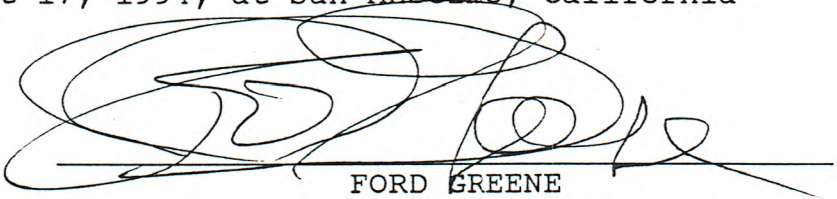
23 7. Prior to the filing of the motion to compel further
24 responses, I made an attempt to resolve with Laurie J. Bartilson
25 the disputed issues arising from the objections by writing her a
26 letter which I faxed to her on May 27th to which I attached the
27 substance of the Separate Statement of Requests and Responses in
28 Dispute. Thereafter, I faxed her another letter on May 31, 1994

1 wherein I advised her that if I did not hear from her I would have
2 to file the instant motion. Then, I telephoned Ms. Bartilson and
3 because she was not available, I left a detailed message with her
4 secretary to call me. Said attempts were unsuccessful and all of
5 the issues remain unresolved and in dispute. Subsequent to said
6 efforts I received Supplemental Responses which have added very
7 little, if anything of substance, to the original responses.

8 8. As a result of the refusal to answer, defendant has
9 incurred and will incur reasonable costs and attorneys fees in
10 connection with this motion and the hearing thereon which will be
11 totaled in a subsequent declaration.

12 Under penalty of perjury pursuant to the laws of the State of
13 California I hereby declare that the foregoing is true and correct
14 according to my first-hand knowledge, except those matters stated
15 to be on information and belief, and as to those matters, I
16 believe them to be true.

17 Executed on August 17, 1994, at San Anselmo, California

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20 FORD GREENE

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